



**DEPARTMENT OF THE NAVY**  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
33000 NIXIE WAY, BLDG 50 Suite 207  
SAN DIEGO, CA 92147

5720  
Ser BPMOW.jbs/079  
March 28, 2019

Mr. Jeff Ruch  
Executive Director  
Public Employees for Environmental Responsibility  
962 Wayne Avenue, Suite 610  
Silver Spring, MD 20910

Dear Mr. Ruch:

This letter responds to your Freedom of Information Act (FOIA) request of November 1, 2018 in which you seek:

- 1) Documents describing Tetra Tech involvement in radiological assessment/remediation of areas of Treasure Island;
- 2) Documents and communications related to the sufficiency of prior radiological assessment and remediation work performed by any Tetra Tech entity, including Tetra Tech EC, at Treasure Island;
- 3) All documents and communications assessing the potential for fraudulent radiological cleanup work to have been conducted at Treasure Island by Tetra Tech or other contractors and the Navy's investigation of that potential;
- 4) Documents and communications supporting any decision not to review the prior Tetra Tech radiological work at Treasure Island;
- 5) All documents and communications among BRAC personnel and between BRAC and RASO (Navy Radiological Affairs Support Office) regarding whether Tetra Tech workers involved in fraudulent radiological work at Hunter's Point Naval Shipyard had performed radiological work at Treasure Island; and
- 6) Documents relied upon or supporting, the statement by BRAC Program Director Laura Duchnak at the May 14, 2018 hearing on Hunter's Point before the San Francisco Board of Supervisors that the Navy has no information that any Tetra Tech workers involved in the fraud at Hunter's Point conducted radiological work at Treasure Island.

Your request was received by this office on November 19, 2018 and assigned file number DON-Navy-2019-002006.

We responded on December 17, 2018, indicating that at that time we were unable to provide an estimate of when your request would be completed because of uncertainty regarding the type and number of records that may be responsive, and that a date for the response would be provided by March 15, 2019.

5720  
Ser BPMOW.jbs/079  
March 28, 2019

Since our response of December 17, 2018, we have been searching for records responsive to your request and that process is ongoing. We responded on March 15, 2019 that records would be released to you in phases as documents are determined to be responsive to your request, beginning with an initial release of responsive records no later than May 15, 2019. An anticipated date for completion of the response to your request will also be provided no later than May 15, 2019.

The following ten records have been identified as responsive and are provided with this letter. Additional records will be released to you in phases as documents are determined to be responsive to your request. Review of the identified documents revealed that one contract record is partially exempt from disclosure under Exemption 4 of the FOIA (5 U.S.C. § 552(b)(4) which protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." Those portions of that one document have been redacted and the remainder of the document is released to you.

- February 2006, Final Treasure Island Naval Station Historical Radiological Assessment (N60028\_001320)
- 31 October 2008, Final Final Status Survey Report for Building 343, Naval Station Treasure Island (N60028\_001565)
- 31 October 2008, Final Final Status Survey Report for Building 344, Naval Station Treasure Island (N60028\_001566)
- 31 October 2008, Final Scoping Survey Report for Building 233 Drain Lines and Wall Vents, Naval Station Treasure Island (N60028\_001568)
- 28 September 2006, Contract N62473-06-D-2201 CTO 0021, Scope of Work, Base-Wide Radiological Support (Buildings 343, 344 and 233 Drains/Sewers), Naval Station Treasure Island
- 16 January 2009, Unrestricted Release of Buildings 343 and 344, Naval Station Treasure Island (N60028\_001582)
- 12 September 2013, Contract N62473-10-D-0809 CTO 0025, Statement of Work, Radiological Characterization, Remediation and Final Status Surveys, Installation Restoration Site 6, Naval Station Treasure Island
- 5 November 2015, Radiological Unrestricted Release Recommendation for Building 233 Site, Former Naval Station Treasure Island (N60028\_001566)
- 6 March 2017, Email Correspondence between Mr. Keith Forman (Navy) and Mr. Matthew Wright (California CDPH)
- March 2019, Radiological Work Performed by Tetra Tech EC on Treasure Island, posted to the Department of the Navy, Base Realignment and Closure Website, [https://www.bracpmo.navy.mil/brac\\_bases/california/former\\_ns\\_treasure\\_island/time\\_ly\\_topics.html](https://www.bracpmo.navy.mil/brac_bases/california/former_ns_treasure_island/time_ly_topics.html)

In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA online, you may submit an appeal directly

5720  
Ser BPMOW.jbs/079  
March 28, 2019

within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy  
Office of the General Counsel (ATTN: FOIA APPEALS)  
1000 Navy Pentagon, Room 5A532  
Washington, DC 20350-1000

Your appeal, if any, must be transmitted (if appealing by FOIA ONLINE) or postmarked (if appealing by mail) within 90 calendar days from the date of this letter. Please be advised that a FOIA requestor has the burden of proving timely submission of an appeal. Additionally, you must include in your appeal a statement indicating why you believe your appeal should be granted, and you are encouraged to also include a copy of your initial request and a copy of this letter.

For any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Any questions concerning this matter should be directed to Ms. Sarah Ann Moore who may be contacted at [sarah.moore@navy.mil](mailto:sarah.moore@navy.mil) or 619-524-5727.

Sincerely,

A handwritten signature in black ink that reads "Alan K. Lee". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

ALAN K. LEE  
Director  
Acting